

Fair tonight and tomorrow:  
Light winds.

# The Washington Times

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WASHINGTON, FRIDAY EVENING, MAY 22, 1908.

PRICE ONE CENT.

## TRUST CHARGE MADE AGAINST RAIL ROAD

Boston District Attorney  
Files Complaint Against  
N. Y. & N. H. Road.

## ACTION SURPRISE TO OFFICIALS HERE

Said President Not Informed Fully  
of Line of Action Con-  
templated.

District Attorney Asa P. French, of Boston, today filed in the United States court in that city, by direction of Attorney General Bonaparte, a petition against the New York, New Haven and Hartford railroad, charging the existence of a combination in restraint of trade in the control of trolley lines in Connecticut and Massachusetts, and its control of 35 per cent of the stock of the Boston and Maine railroad.

The action came as a great surprise, inasmuch as officers of the New Haven road who have been in Washington within the last few days said there would be no Federal prosecution, and that whatever legal action was taken would be at the instigation of the State courts.

President Not Informed.

There also were indications that the sudden determination to file the petition against the railroad had been made without fully acquainting President Roosevelt of the line of action contemplated. The announcement that the petition would be filed was made at the Department of Justice early in the morning, and before Secretary Bonaparte went to the White House for the cabinet meeting.

These orders, it was said, were based on instructions received from the White House. The decision to withhold action against the railroad was not satisfied with the action taken by the Department of Justice, but Secretary Loeb subsequently announced that the original statement of the department was that the petition would stand and that the petition would be filed in court at 2 o'clock this afternoon.

Buckland Astonished.

Fourth Vice President Buckland, of the New York, New Haven and Hartford railroad, who has made his headquarters in Washington since the Government began its investigation of the various interstate holdings of the road, expressed himself this afternoon as astonished at the action taken by the Government. He conveyed the impression that he had been assured that no such action was contemplated.

Department's Statement.

The statement issued by the Department of Justice is as follows:

"The Government has today filed a petition against the New York, New Haven and Hartford Railroad Company and others, charging the existence of a combination in restraint of trade and monopoly within the meaning of Sections 1 and 2 of the Sherman anti-trust act. The petition charges that the New Haven Company has acquired control over approximately 500 out of 600 miles of electric trolley lines in Connecticut, 400 out of 500 in Rhode Island, and 600 in Massachusetts, which railways, prior to such control, were engaged in active competition with the New Haven Company.

"Also that in acquiring a large interest in the control of the Boston and Maine railroad, about 35 per cent thereof, it has secured practical control over said railroad, and that by the acquisition of the electric lines and this control of the Boston and Maine railroad, it has established a virtual monopoly of the transportation facilities by land in the New England States, the Boston and Albany railroad being practically the only line of any consequence in the New England States, with the exception of the State of Vermont, not now under the control in some form of the New Haven company.

History of Acquisitions.

"The petition relates the history of these various acquisitions and shows how the New Haven company has per-

(Continued on Tenth Page.)

## WEATHER REPORT.

The barometric depression that extended Thursday morning from Manitoba to Texas has disappeared, and pressure is rising this morning over the southern Rocky Mountain region and the Red river of the North valley.

Rains and thunderstorms have occurred in the middle and lower Mississippi and lower Ohio valleys, and showers are reported in the Middle Atlantic and New England States and the Red river of the North valley.

The temperature has fallen in the upper Mississippi valley, and continues low for the season in the Missouri valley, with heavy frost and freezing temperature at Miles City, Mont., and light frost at Pierre, S. D.

Steamers departing today for European ports will have light to fresh east to southeast winds and partly cloudy weather to the Grand Banks.

## WEATHER BUREAU.

9 a. m. .... 69  
12 noon .... 73  
1 p. m. .... 75

## AFFLECKS.

9 a. m. .... 75  
12 noon .... 85  
1 p. m. .... 85

## SUN TABLE.

Sun rises. .... 4:41  
Sun sets. .... 7:12

## TIDE TABLE.

Low water today. .... 8:02 p. m.  
High water today. .... 2:18 p. m.  
Low water tomorrow. .... 8:02 a. m.  
High water tomorrow. .... 2:18 p. m.

## BIEBER UNDER FIRE FERNALD CASE

Denies That He Offered  
Bribe for Cranford  
Company.

## WANTED AN EQUITY IN BRENNAN PLANT

Bank Cashier Testifies That Fer-  
nald Had More Than \$16,000  
on Deposit

Sidney Bieber was put through a grilling examination today in the hearing now being conducted by the commissioners in the Brennan Construction Company charges.

It had been said that Mr. Bieber had offered O. H. Perry Johnson, secretary of the company, \$25,000 if the company would not compete for the street paving contract.

Mr. Bieber vigorously denied that he had done any such thing, declaring that he had offered to purchase an equity in the business for that amount.

Commissioner West and Mr. Douglas, counsel for Brennan, took part in the cross-questioning of Mr. Bieber, and the attorney facetiously inquired if Johnson had knocked him down when the offer was made.

Commissioner West wanted to know if Johnson jumped at the offer. Mr. Bieber denied both questions.

Fernald's Deposits.

From June 23, 1904, inclusive, Fernald, former assistant chief of highways, deposited in the National Capital Bank the sum of \$16,638.95, was the testimony offered by Henry H. McKee, cashier of the institution.

John E. Lusk, attorney for Fernald, objected to the introduction of this testimony, citing decisions of the Supreme Court in support of his objection.

The attorney contended that the record of Fernald's bank account could not be introduced unless it were followed by evidence to show that his deposits were directly connected with the matter under investigation.

He was overruled by the Commissioners.

In response to questions by Attorney Douglas, Mr. McKee, reading from the records of the bank, testified as to the following deposits by Fernald:

June 23, 1904, the date of the opening of his account, \$1,000; May 17, 1905, \$320; June 16, 1905, \$900; August 1, 1905, \$1,320; September 6, 1905, \$700; November 1, 1905, \$800; November 10, 1905, \$800; December 13, 1905, \$1,020; December 23, 1905, \$1,000; April 12, 1906, \$200; April 12, 1906, \$1,320; May 7, 1906, \$1,500; December 24, 1907, \$570; January 20, 1908, \$300.

Fernald's Withdrawals.

The following are the withdrawals from the bank during the period:

January 22, 1906, \$460; March 2, 1906, \$1,735.25; April 18, 1906, \$346; June 1, 1906, \$68.75; July 6, 1906, \$413.25; December 2, 1907, \$81.25.

Reading from amounts paid by the District to McDermott, of the McDermott Construction Company, Attorney Douglas asked out to the board that a number of the large deposits made by Fernald were within a few days of receipt by McDermott of money from the District, which was further confirmed by Mr. Fernald's testimony.

Payments on House.

E. L. Hillyer, representing the Union Trust Company, testified that the amounts paid on notes on a deed of trust on a house purchased by Fernald for \$7,000 showed that the company were paid generally a few days in advance, and within a day or so of Fernald's depositing a sum in bank.

The contract for paving First street, which, it is alleged, was given to the Cranford Construction Company, a conversation between Joseph H. Cranford and Fernald, was the subject of the testimony of D. M. Sheehan, of the Sheehan Construction Company.

Sheehan said he was told by Mr. Fernald to have his bid in by noon, and he was under the impression that it was opened at that time.

The proposal, he said, was sent in a sealed envelope, marked "Proposal for paving First street," which was addressed to Mr. Fernald, and inclosed in a larger envelope addressed to the District Commissioners.

Testimony heretofore has been introduced to show that the bids were not opened until the afternoon, following the receipt of a bid from the Cranford company, which was not in the office at 12 o'clock.

## Sidney Bieber Testifies.

Following the testimony of John C. Roche, formerly an officer of the Barber Asphalt Company, who said that he had endeavored at one time to arrange a consolidation of business interests between the Brennan and Cranford companies, but that the deal had fallen through, Sidney Bieber was called to the stand.

"It has been testified," said Commissioner Macfarland, "that you approached O. H. Perry Johnson, secretary to the Brennan Construction Company, with an offer of \$25,000 if that company would not compete for the contract for street paving work. Is it true?"

"It is not," said Mr. Bieber.

"State then what your connection with the Brennan Construction Company was."

## MURDERER IS HELD; WIFE BETRAYS HIM

Guinness-Like Story of Pris-  
oner Clears Six Mysteri-  
ous Crimes.

## HIS BLOODY CAREER BEGAN WHEN A BOY

Threats to Slay Spouse Followed  
by Complaint to Prosecut-  
ing Attorney.

SOUTH BEND, Ind., May 22.—The South Bend police authorities were informed today of the arrest of James Brimingham, accused of the murder of six persons, near Dowagiac, Mich.

Brimingham has already confessed the murder of two persons, and the police say they will have no difficulty fessing the other murders upon him.

The arrest was brought about by Brimingham's wife, who voluntarily told the police that she feared she was to be murdered. She said her husband had determined to kill her because he feared she would tell of his many crimes.

The list of Brimingham's victims, according to the officials, is:

Man in Kansas (name not given), killed by Brimingham sixteen years ago.

Railroad man in Missouri, name unknown, killed seven years ago.

Two men sleeping in a tent in Missouri, names unknown.

David Huff, Dowagiac, June, 1907.

Smith Hoffman, Dowagiac, February, 1908.

## Wife Seeks Protection.

Mrs. Brimingham, apparently distracted, appealed to Prosecuting Attorney T. J. Bresnahan for protection. She said that "Jim" was going to kill her; she could not go to sleep for fear he would break into the house and murder her.

Jealousy is one of the causes ascribed regarding the break between the Brimingham family.

David Huff, an aged citizen of Dowagiac, went to the Brimingham home to live, a year and a half ago. He decided to leave his property on their proposition to care for him for the remainder of his life. One night last June Huff was found dead in bed, with the bed clothing very much disturbed. Brimingham told a story of the old man's death. He said Huff had been a sort of violent, temperamental, and chafed himself to death with the bedclothes. The body of Huff was buried the next day and the apparent haste occasioned some comment.

In February of this year, Smith Hoffman's body was found frozen into the ice of a nearby stream. His money had disappeared.

## Tells Story of Crimes.

The Guinness-like features of the case from the beginning to the end, is another case of greed mad. Brimingham is said to have told the officers a wild and almost unbelievable story of his crimes. At the age of sixteen years he waylaid a neighbor against whom he had a grudge, shooting him on the highway. He was sentenced to ten years in the penitentiary. This was in Kansas.

A few years after finishing his sentence for the murder of his neighbor Brimingham, then thirty-one years old, killed a companion with a coupling bolt and for this he was sentenced to three years in the penitentiary.

Several years ago Brimingham, it is said, shot to a tent where some of his enemies were sleeping. He claims that he did not kill anybody that time, but it is understood by the officers here that two men were killed by the shots he fired.

## "Death Farm" Explorers Dig for Guinness Graves

LAPORTE, Ind., May 22.—With early dawn this morning Sheriff Smutzer and a detail of men began digging on the Guinness farm and there will be no cessation in the work until every foot of the ground in suspected spots has been dug over to a depth sufficient to discover new graves if there are more to be found in the arch fields burying ground.

Ray Lamphere is today showing the pallor of fear. He passed a restless night with four ribs broken and a head full of fear. He knows that today the grand jury will indict him for the crime, that he will be held to answer the charge of killing Mrs. Guinness and her three children, that he will be indicted as a murderer in the murder of Andrew Helgelein, the South Dakota ranchman, and that within thirty days at the limit the State of Indiana will demand that a jury inflict the death penalty.

Sheriff Smutzer wired Chief Hayden of the Rochester, N. Y., police department that he had found jewelry in the clothing of the debris of the charred house bearing the name of May O'Reilly, of Rochester. Dispatches this morning state that the May O'Reilly disappeared last October when she told friends she was coming West to make her home with a wealthy widow.

It is the theory of the authorities that the young woman was lured to her death by the murderer, and that her body will be found in the search which is now in progress.

## STUDENTS HURT IN TRAIN WRECK

OKLAHOMA CITY, May 22.—A special train bearing 500 students of the Agricultural College to the State field meet here today crashed into General Superintendent Parker's special near Ripley today. Conductor Allen was killed and twenty of the students were injured.

## The "Royal Limited."

The best appointed train for Philadelphia and New York, leaves Washington daily at 3 p. m. via Baltimore and Ohio, arriving New York 8 p. m. landing passengers at Liberty st. and 23rd st. It is all-Pullman, with parlor, buffet, smoking observation and dining cars, the finest train in America, with no extra fare.

Reservations made at Ticket Offices 1417 G st. n. w., 619 Pennsylvania ave., and New Union Station—Adv.

## FIERY LOVE TOLD IN SNEEL LETTERS

Illinois Wife's Downfall Re-  
vealed in Aged Million-  
aire's Will Contest.

## KISSES LAST DAYS, SHE SAYS IN NOTE

Declares Songs of Solomon Fool-  
ish Twaddle in Describing  
Love She Bore.

CLINTON, Ill., May 22.—The fight to have read in court the new sensational love letters written to the late Col. Thomas Snell began today when the contestants in his will started the presentation of their case. Whether Judge Philbrick will admit them in evidence is problematical. The discovery of two letters which may become a part of the evidence in the case has revealed the sordid story of a young woman's passionate love of costly attire.

The name of the writer of these letters is still secret. One of the letters is said to read:

"My Dear Colonel: I was surprised when you addressed me yesterday as I was noticing the various styles in fur coats in Cole's window. After I got home I thought it would be foolish to be angry with you, although I did not understand exactly the remark you made about that \$50 fur coat I admired. If you meant by that remark that you might be disposed to make me a present of it, why I would be foolish to decline. Be careful to burn this letter, and do not by any means let my husband know about this. If you send me the coat I will be sure to thank you personally."

## Fears Family Catastrophe.

The following indicates that the Colonel sent the coat:

"My Darling: The coat has come, and oh, what a beauty it is. As I run my fingers through the soft fur I wonder if it isn't the beginning of something terrible."

"It is the first time I ever deceived my husband, and after all, dear, it is something to have you sufficiently interested to make me such a present. Do you really mean what you said to me that night? I want to meet you again, and yet something makes me think it would be followed by a terrible catastrophe. Doesn't it seem peculiar for me to use the word 'dear' in addressing you. I like it because of that. I suppose, after all, I will meet you."

"P. S.—Please be sure to destroy this letter. This piece of paper would destroy my life if it ever was read by anyone else."

## "Was Too Loving."

Another letter says:

"My dearest, dearest, Darling: I went out driving with Tuesday night, and I was too loving, the way he always does, but even if he is a young man he doesn't know how to love at all. It takes a man of mature years to know the real art of loving, and I would rather be with you any time than the handsomest young man I ever set eyes on. Your kisses are the sweetest kisses that ever a woman received. I can feel the fire of your kisses for months afterward, but, oh, my dearest, dear, I put my whole being into those kisses, and some times it takes days before I get over the numbness."

"I send you one of our 'Imagination kisses,' because they are better than any other kisses, and yet, with such a tender heart, you should know that in the evening, sweetheart, I am your own."

## "Darlingest Darling."

Extracts from some other letters follow:

"You Dear Old Darlingest Darling: I love you beyond any words used to describe the world, and I love you as the 'Songs of Solomon' are foolish twaddle if they are supposed to describe love. If you are supposed to describe love, if your kisses, dear, that I have to press both hands against it to still its throbbing, I want you, I want you, I want you."

## KILLED IN ASYLUM CORONER'S VERDICT

Ohio Official Calls on Governor to Investigate State Institution.

CANTON, Ohio, May 22.—"I am now convinced that John Adams, of Beach City, Ohio, was brutally assaulted in the Massillon State Hospital last Friday night, and that his death Sunday was from injuries sustained in that asylum. I shall so state in my formal verdict."

This today is the statement of Acting Coroner Bothwell, who has been investigating the death of the civil war veteran who was taken dead from the hospital with four ribs broken and a dozen bruises on his chest and sides.

"I base this decision on the evidence of the autopsy and the testimony at the inquest yesterday," he added.

The inquest followed charges made by relatives of Adams, when bruises and broken ribs were disclosed by an autopsy following the removal of Adams' body from the insane asylum.

Governor Harris will be asked to order an investigation, and Prosecuting Attorney Uppham will take the case before the grand jury and seek indictments.

## Through Sleeping Cars to Cleveland

and Chicago via the Pennsylvania Railroad. Leave Washington at 8:45 p. m. daily on the "Chicago Limited," no extra fare—Adv.

## Are Your Valuables Protected?

Valuable papers, jewels, etc., should be placed in a safe deposit box in the fire and burglar proof vaults of Union Trust Co., 15th & H. Rented for \$5 a month—Adv.

## STANDS FOR ARBITRATION



AMBASSADOR TAKAHIRA,  
Who Spoke Before the Mohonk Peace Convention Today.

## JAPAN WAR'S FOE, ASSURES TAKAHIRA

## PRESIDENT URGES EVANS' PROMOTION

## Says Nippon Always Has Been Ready to Arbitrate Differences.

## Chief Executive Tells Fa- mous Fighter He Should Be Vice Admiral.

LAKE MOHONK, N. Y., May 22.—Notwithstanding Japan's proved prowess in war in the last dozen years, and the towering military spirit of the Island Kingdom, Baron Takahira, the Japanese ambassador at Washington, declared before the Mohonk Peace Convention today that his nation is ready, has been ready, and ever will be ready to lend herself to the arbitration of international differences.

The baron's speech was the feature of the morning session of the conference. Among other things, he said:

"Arbitration is considered a principle means to bring about the amicable settlement of international disputes. You certainly are aware that for many years Japan sometimes has been a party to this method of adjusting international differences.

"It is needless to say that the United States has distinguished itself in its foreign policy by a high sense of justice and fair play, and yet, with such a power, strong and civilized, as the prime mover, nothing further could be done than what has been accomplished.

"As regards Japan, she is holding her own despite many vicissitudes. The incessant criticisms of her attitude and policy in the Far East are due, in my opinion, to hasty conclusions of traveling observers. If Manchuria and Korea could live up to their ideas of government and society, however obsolete, it is certain they could maintain their position more securely.

"Falling in with this, they have allowed themselves to fall into an unhappy condition, disorganized, misgoverned, impoverished, and thus have permitted themselves to become the prey of sinister design and selfish purposes. With such neighbors, Japan was forced to take the necessary measures for her self-preservation, and to assume responsibility for their peace and happiness."

## KILLS HIS FATHER; PROTECTS MOTHER

NEW ORLEANS, La., May 22.—Leon C. Perez, forty-four years old, a clerk in his brother Louis Perez's drug store, at 104 Canal street, was shot through the head and almost instantly killed by his son, William Perez, at the family home, 26 South Claiborne street, a bout 11:30 p. m. last night.

Immediately after the shooting the son ran to a restaurant to telephone for an ambulance. He was arrested and charged with murder. According to statements made by the young man, he shot his father with a rifle to prevent the latter from striking his mother.

## BOY'S SLAYER GUILTYLESS.

ATHOL, Mass., May 22.—The medical examiner today returned a verdict of accidental shooting, and no arrest will be made following the death of John T. Qualters, who was shot by his child, Herbert Briggs, while playing burglar.

## Baltimore and Ohio Royal Blue

Trains to Philadelphia and New York "Every Old Hour" during the day. Also at 12 midnight and 2:30 night, with through sleepers—Adv.

## Baltimore and Ohio R. R. Excursion

\$1.00 to Frederick, Keedysville (for Antietam) Hagerstown and return, Sunday, May 31st. Special train leaves Union Station 8 a. m.—Adv.

## When Leaving Washington

take the Pennsylvania Railroad. Through service to Boston, New York, Philadelphia, Atlantic City, Buffalo, Pittsburgh, Cleveland, Chicago, Columbus, Indianapolis, and St. Louis. For detailed information, tickets, and Pullman reservations apply to City Ticket Office, 15th and G streets, Washington. Telephone Main 5350.—Adv.

## Baltimore and Ohio to Cincinnati,

Louisville and St. Louis, 2:10 a. m., 4:05 p. m., and 12:40 night. City Ticket Offices, 1417 G st. n. w., and 619 Penna. ave.—Adv.

## MAN KILLS SELF IN WIFE'S SIGHT

Edward Kennedy Drinks  
Large Dose of Carbolic  
Acid After Illness.

## SUICIDE PLANNED FOLLOWING WORRY

William Sweet Badly Burned Try-  
ing to Wrest Bottle  
From Suicide.

Harassed by illness and worn out with his struggle for life, Edward Kennedy, a painter of 619 Florida avenue northwest, drank carbolic acid in the presence of his wife this morning. By the time assistance reached him he was convulsed with agony, and shortly after being placed upon the operating table he died.

William G. Sweet, owner of the house in which Kennedy and his wife roomed, was badly burned by the acid due to his efforts to snatch the bottle from the man's lips. Mrs. Kennedy was completely prostrated by the awful scene, and is now under the care of a physician.

Kennedy was forty years old. He was a man of regular habits, but was weak physically and subject to attacks of nervousness. At such times he developed pronounced attacks of melancholia and morbidly discussed the possible means of ending life.

## Idleness Worries Him.

Several days ago he became ill, and while sick was unable to attend to work he had contracted to do. His enforced idleness preyed on his mind to such an extent that he suggested several times his intention of slaying himself.

"I want to die peacefully," was his constant remark.

Mrs. Kennedy paid but little heed to his declarations of his intention to destroy himself, believing that they were merely the result of a momentary depression, and soon to be forgotten.

Yesterday Kennedy went to a nearby drug store and purchased a two ounce bottle of carbolic acid. Last night, Mr. Sweet says, Kennedy and his wife engaged in a heated argument lasting for some time. Mrs. Kennedy, however, denies this.

This morning shortly after breakfast Kennedy went to his room, occupied by his wife and himself. Mrs. Kennedy had just risen. She turned, hearing the door open, and saw her husband standing before her with the bottle of acid in his hand.

"I'm going to die peacefully," said Kennedy, quietly, and raised the bottle to his lips.

## Calls Assistance.

Screaming with terror, Mrs. Kennedy rushed to the hallway and summoned assistance. Sweet ran into the room just as Kennedy was finishing the contents of the bottle.

"Stop, for God's sake, man," shouted Sweet, striking the vial with his bare hand. Kennedy reeled and fell to the floor, his whole form convulsed from the horrible torture of the acid. The few horrible drops in the bottle fell upon Sweet's hand, inflicting severe wounds.

A hurry call for the eighth precinct patrol was sent, and in a few minutes after he had swallowed the acid Kennedy was placed upon the operating table of the Freedman's Hospital. The trip made by the patrol wagon was probably one of the fastest ever recorded in this city.

## PRESIDENT ADMITS AGILITY WITH STICK

Tells Representative Langley He Can Very Easily Write With One.

When the President signed today the bill authorizing the construction of a Federal courthouse at Breathitt county, Kentucky, the occasion was made one of wit on the part of members of the Cabinet and others who were assembled in the President's private office.

Representative Langley of Kentucky came to the White House bearing a huge quill taken from the wing of the mountain eagle in Kentucky. As the President picked up the bill Mr. Langley passed the quill over, at the same time expressing some doubt as to the President's ability to manipulate it.

"I am not sure that you can write with that."

"Why, he could write with his thumb," said one of the Cabinet members.

"Yes, and I can write with a stick," said the President.

"And a big stick, too," chimed in another Cabinet officer.

"It is so seldom," said the President, "that a Representative from Kentucky asks for something that no one else is after that I am willing to go out of my way to please him."

The President then picked up a piece of White House stationery on which he wrote:

"To the city of Jackson, Ky., with regards of Theodore Roosevelt."

This autograph note with the mountain eagle quill will be framed, and if Representative Langley ever gets influence enough to have a new Federal building erected in Jackson, Ky., it will have a place of honor in that structure. In the meantime, it will be kept by Mr. Langley as an evidence of his effort for the betterment of Breathitt county.

## Through Sleeping Car to St. Louis

via Pennsylvania Railroad, leaves Washington at 3:40 p. m. daily. Ask B. M. Newbold, P. O. S. E. D., 15th and G sts. Washington.—Adv.

## Baltimore and Ohio to Cincinnati,

Louisville and St. Louis, 2:10 a. m., 4:05 p. m., and 12:40 night. City Ticket Offices, 1417 G st. n. w., and 619 Penna. ave.—Adv.